

FILED  
LODGED

ENTERED  
RECEIVED

JAN 06 2022 ST

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

IN THE UNITED STATES DISTRICT COURT FOR THE

WESTERN DISTRICT OF WASHINGTON

22-CV -

13 SKV

VICKI CHANG,

Plaintiff,

NO.

COMPLAINT FOR DAMAGES

v.

ANDREW VANDERWIELEN, BRIAN  
HUNT, JANE GUREVICH, EDWARD  
COLLINS, RIDDHI KOTHARI, and THE  
CITY OF SEATTLE, a municipal corporation

Defendants.

Plaintiff Vicki Chang, pro se, alleges as follows:

I. Parties, Jurisdiction, and Venue

1.1 Plaintiff. Plaintiff Vicki Chang resides in Seattle, King County, Washington.

1.2 Defendant. Defendant Andrew Vanderwielen was employed by Washington State as a Washington State Trooper at all times material to this case. He is a resident of the State of Washington. All of his actions in this case were in the course and scope of his duties as a Washington State Trooper. Defendant Vanderwielen is sued in his individual capacity.

1.3 Defendant. Defendant Brian Hunt was employed by the City of Seattle as a police officer at all times material to this case. He is a resident of the State of Washington. All of his actions in this case were in the course and scope of his duties as a Seattle Police Department Officer. Defendant Hunt is sued in his individual capacity.

1.4 Defendant. Defendant Jane Gurevich was employed by the University of Washington as a security guard at all times material to this case. She is a resident of the State of Washington. All of her actions in this case were in the course and scope of her duties as a security guard at UW-Harborview. Defendant Gurevich is sued in her individual capacity.

1.5 Defendant. Defendant Edward Collins was employed by Washington State as a Washington State Trooper at all times material to this case. He is a resident of the State of Washington. All of his actions in this case were in the course and scope of his duties as a Washington State Trooper. Defendant Collins is sued in his individual capacity.

1.6 Defendant. Defendant Riddhi Kothari, DO was employed by the University of Washington as a doctor or medical resident at all times material to this case. She is a resident of the State of Washington. All of her actions in this case were in the course and scope of her duties as a doctor or medical resident at UW-Harborview. Defendant Kothari is sued in her individual capacity.

1.7 Defendant. Defendant City of Seattle is a municipal corporation organized under the laws of the State of Washington.

## II. Jurisdiction

2.1 This court has personal and subject matter jurisdiction and venue is appropriate.

## III. Summary of Facts

3.1 On January 6, 2018, Plaintiff returned to her residence in the evening to discover that the powerline and power mast had been severed, causing her residence to be without power, heat, or hot water. Plaintiff strongly suspected the cause of this property damage was construction company Jabooda Homes which was doing construction on the site adjacent to her to the north and had engaged in other activities that involved intentional property damage to her residence prior to this incident. Four months later, Seattle City Light would catch Jabooda Homes cutting plaintiff's powerline with a backhoe, causing an approximately 3 hour power outage according to Seattle City Light. Plaintiff was experiencing significant physical and mental distress as a result of this incident, and had potential problems including but not limited

1 to hypothermia, a panic attack, nervous breakdown, and being really disoriented. She called 911  
2 to make a police report about this incident and go to the ER room due to the problems she was  
3 experiencing.

4 Plaintiff arrived in the UW Harborview ER room via ambulance and was checked in, but  
5 was not allowed to see a doctor even if she was experiencing serious mental and physical health  
6 issues that other doctors and medical professionals, including but not limited to Kaiser  
7 Permanente Consulting/Advice nurses, Kaiser Permanente Urgent Care Doctors, Swedish  
8 Emergency Room, Ob/Gyn, Psychiatrists and other doctors, and King County Public Health  
9 Nurses have all advised plaintiff, including in writing, are issues where it is important to seek  
10 medical attention in an Emergency Room setting and would require that she be checked out by a  
11 medical professional and stay under observation.

12 Defendants WST Andrew Vanderwielen and Security Guard Jane Gurevich claimed  
13 patient was “flopping around” on the waiting room floor, thus needed to be forcibly discharged  
14 without being seen by a doctor, which several nurses and doctors above felt was extremely  
15 contrary to the correct medical response, since many ER room admits are not very able to  
16 communicate, walk themselves to the doctor, or flop around including but not limited to people  
17 who are experiencing heart attacks, epilepsy, strokes, psychosis, and other serious mental health  
18 issues and actually need to be seen by a doctor.

19 Defendant Vanderwielen demanded that plaintiff get into a wheelchair and wheeled her  
20 erratically into a metal detector, parking garage ticket machine, and the wall, frightening  
21 plaintiff. He claimed in the police report that he tried to stand plaintiff up but she “flopped” to  
22 the ground, but plaintiff recalls that he then body slammed her to the ground. UW Primary Care  
23 doctor Michelle Rappaport, MD, agreed on September 13, 2019 during an in office visit after  
24 watching UW security camera footage obtained through a public records request that Plaintiff  
25 did not flop or move to the ground voluntarily, but that Defendant Vanderwielen along with  
26 other security staff actually physically brought her to the ground, claiming in visit notes in  
writing that plaintiff “asks me to watch a video of the security footage, which shows her being

1 wheeled into the lobby by several security personnel, perhaps including a police officer. She  
2 stands up and is brought to the ground. We discuss that I am not qualified to give her an opinion  
3 regarding the level of force used... States she wants knee MRI .”

4 While plaintiff was lying prone on the ground and not resisting arrest or assaulting  
5 anyone in anyway, Defendant Gurevich leaned on and squished plaintiff's knees a lot in security  
6 camera footage and Defendant Vanderwielen cut through exactly one of the two leather handles  
7 of her handbag with a knife, causing property damage to Plaintiff. Defendant Gurevich then  
8 falsely claimed plaintiff assaulted her while lying prone on the ground after the wheelchair  
9 incident by kicking her on the side several times in the police report causing plaintiff to be  
10 arrested and falsely imprisoned. Defendant Vanderwielen claimed he was a witness to this  
11 alleged assault of Defendant Gurevich in the police report.

12 Arresting officer Brian Hunt of Seattle Police Department then arrived and arrested  
13 plaintiff, claiming he “tried to get her side of the story”, which is pretty contrary to plaintiff's  
14 recollection. Plaintiff was held for 2 days in jail with no attorney and mistreated in many ways,  
15 yet at no point did anyone at SPD attempt to get security camera footage from the UW which  
16 would demonstrate the falsity of Defendant Gurevich's assault claim as well as Defendant  
17 Vanderwielen's claim to witness this assault, his claims regarding the plaintiff flopping to the  
18 ground, which plaintiff is unsure of being any crime or reason for arrest, but rather something  
19 that would probably require immediate medical attention according to conversations with several  
20 medical professionals.

21 Plaintiff was given documents after discharge indicating no charges would be filed  
22 against her by the City currently, never informed about subsequent charges filed against her prior  
23 to the City of Seattle commencing a case against her for supposedly assaulting defendant  
24 Gurevich in February 2019, and subsequently arrested out on warrant in April 2019 for missing  
25 this hearing.

26 After discharge, on January 9, 2019, plaintiff was disoriented, mentally ill, and was  
admitted to the ER room again at Harborview ER, where the attending physician expressed

1 concerns about plaintiff being gravely disabled, having circumstantial thought processes, and  
2 possibly having a panic attack or being delusional and in need of further observation and care as  
3 well as a prior history of anxiety and depression issues that Defendant Riddhi Kothari, DO had  
4 access to through UW medical records as it was a diagnosis made there. Defendant Kothari  
5 claimed plaintiff was in no serious distress including mental, and had plaintiff forcibly  
6 discharged against what should be the correct and conventional medical treatment according to  
7 many medical professionals. Plaintiff was then held for a longer period of time at King County  
8 jail. Many medical professionals including but not limited to ER or urgent care doctors at  
9 Swedish and Kaiser Permanente, ob/gyn at Swedish and Kaiser Permanente, consulting nurses at  
10 the Kaiser advice line, and nurses at King County Public Health have urged that plaintiff call  
11 911, go to the ER room, and probably needed further observation if she experienced the mental  
12 health symptoms that defendant Kothari alleges plaintiff had in January 2019 on medical records.  
13 Defendant Kothari also claimed plaintiff had hyperthermia, which is obviously the opposite of  
14 what anyone competent would correctly diagnose (hypothermia) if plaintiff claimed she had  
15 problems related to having her power being cut, no heat or hot water in January, and problems  
16 with being exposed to extreme cold. Defendant Kothari incorrectly failed to take down plaintiff's  
17 assertions she was sexually assaulted in King County jail after her false and wrongful arrest for  
18 assaulting UW security guard Jane Gurevich. Plaintiff was not given any clothing during the  
19 time she was in jail, nor any sanitary napkins or tampons even though plaintiff told them she had  
20 her period and staff had groped her. Partially as a result of defendant Kothari's medical  
21 malpractice, patient's conditions went untreated, worsened, and in April 2019, plaintiff was  
22 declared mentally incompetent by ITA court.

23 Plaintiff has tried discussing these issues with the Defendant Vanderwielen's supervisor  
24 WST Edward Collins who repeatedly insists that plaintiff "flopped" to the ground and thus  
25 defendant Vanderwielen was justified in restraining plaintiff, using force to hold plaintiff to the  
26 ground along with defendant Gurevich, personally injuring plaintiff, damaging her personal  
property by cutting through exactly one of the two leather handles of her purse with a knife on

1 camera, and assisting in filing a false assault charge against plaintiff, causing her to be arrested.  
2 Defendant Collins refuses to take any action against defendant Vanderwielen for his actions in  
3 January 2019 related to the plaintiff's complaint.

4 Plaintiff has also tried to discuss her complaints and other issues with SPD Officer Brian  
5 Hunt's behavior with the Office of Police Accountability, including asking why he would  
6 continue to be employed after the incident with Mr. Alley-Barnes, only to have them make  
7 plenty of offensive derogatory comments about African-American and Middle Eastern people  
8 and refuse to take any action on her complaint.

9 Plaintiff has also complained to UW Medicine via email with regards to Riddhi Kothari,  
10 DO, Jane Gurevich, and Andrew Vanderwielen, which refuses to take any action on plaintiff's  
11 complaints.

12 3.2 Prior Histories of Misconduct. Defendants Vanderwielen and Hunt have previously been the  
13 subjects of other complaints of misconduct, including perjury for WST Vanderwielen and false  
14 arrest and assault for Sgt. Hunt. WST Trooper Vanderwielen is on the Brady List, a federally  
15 mandated list of problem police officers that have committed major acts of dishonesty on duty,  
16 for committing perjury in a DUI case. Brian Hunt has been involved in a civil lawsuit involving  
17 false arrest, assault, and civil rights violations including racially and/or nationally motivated  
18 violations filed against him by Maikoiyo Alley-Barnes which resulted in a \$185,000 payout from  
19 the City of Seattle to settle this claim as well as other complaints against him, some of which  
20 appear to have resulted in civil cases being filed against him.

21 Plaintiff is unsure of whether the other defendants have been involved in complaints,  
22 claims against them, and/or activities involving assault, property damage, false imprisonment,  
23 malicious prosecution, slander, libel, medical malpractice, police misconduct, or civil rights  
24 violations involving race, national origin, disability status, and/or gender, but would like to find  
25 out during the discovery process.

26 3.3 Failure to Train and Discipline Defendant Collins has failed to train and discipline  
Defendant Vanderwielen, who was a Brady List police officer prior to Plaintiff encountering him  
Complaint - 6

1 for the first time in 2019 due to his perjurious actions. Many medical professionals have  
2 expressed concerns to plaintiff about arresting, restraining, or not getting immediate medical  
3 attention for someone in the ER room after they “flop” to the ground and point out Defendants  
4 Vanderwielen, Gurevich, and Hunt all have probably gotten plenty of training to get immediate  
5 medical attention for people like this instead of undertaking the actions that they did, including  
6 falsely arresting, injuring, and damaging the personal property of the plaintiff.

7 3.4 Dismissal of Charges against Plaintiff Plaintiff was gravely disabled and mentally  
8 incompetent at the time of this incident according to an ITA Court, thus charges against her were  
9 dismissed. Additionally, plaintiff has UW security camera footage of this incident contradicting  
10 Defendant Vanderwielen’s sworn testimony about this incident obtained through a public records  
11 request.

12 3.5 Injuries and Damages. As a proximate result of the facts alleged above, Plaintiff  
13 suffered physical injuries from the January 6-7 ER room incident involving Defendants  
14 Vanderwielen, Gurevich, and Hunt, false arrest, and imprisonment, damage to her personal  
15 property, continued and worsened mental and physical health problems, lost wages, emotional  
16 distress, and damages to her property.

17 IV. Legal Causes of Action

18 4.1 The foregoing is alleged.

19 4.2 Defendants Vanderwielen, Gurevich, and the City of Seattle are liable to the  
20 Plaintiff for the torts of assault, personal injury, and property damage.

21 4.3 Defendants Vanderwielen, Gurevich, Hunt, Kothari, and the City of Seattle are  
22 liable to the Plaintiff for the torts of false arrest and false imprisonment, damage to her personal  
23 property, lost wages, emotional distress, and damages to her property.

24 4.4 Defendant City of Seattle is liable to the Plaintiff for the tort of malicious  
25 prosecution.

26 4.5 Defendant Kothari is liable to the plaintiff for medical malpractice.

1           4.6 Negligent Training and Supervision. Defendants Collins and the City of Seattle  
 2 are liable for damages which resulted due to their negligence in training and supervising  
 3 Washington State troopers and Seattle Police Department officers, including but not limited to  
 4 Defendants Vanderwielen and Hunt.

5           4.7 Civil Rights Violations Defendants Vanderwielen, Gurevich, Hunt, and the City of  
 6 Seattle are liable to the Plaintiff for violations of her civil rights proximately resulting from  
 7 excessive force, damage to and seizure of personal property, in violation of her Fourth and  
 8 Fourteenth Amendment Rights. The Plaintiff believes that this incident was possibly motivated  
 9 by race, national origin, and/or disability status and asks for damages under RCW 9A.36.083.

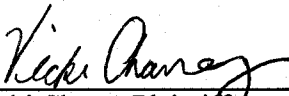
10           4.8 Civil Rights Violations Defendant Collins is liable to the Plaintiff for violations of  
 11 her civil rights for failing to adequately train, supervise, and discipline Defendant Vanderwielen,  
 12 who has a serious history of police misconduct and dishonesty, including perjury on duty, and  
 13 was a Brady List police officer prior to Plaintiff encountering him for the first time in January  
 14 2019. To the extent that Defendant Collins was callously indifferent, intentionally negligent, or  
 15 acted with reckless disregard to the rights of Plaintiff or other individuals in similar  
 16 circumstances and/or with similar conditions, Defendant Collins is liable for punitive damages,  
 17 including under RCW 9A.36.083.

18           4.9 Civil Rights Violations Defendant City of Seattle is liable to the Plaintiff for  
 19 violations of her civil rights to the extent that the failure to train, supervise, and discipline police  
 20 officers is a policy, practice, or custom of the City of Seattle.

21  
 22           WHEREFORE, Plaintiff asks the court for relief as follows:

- 23           1. Damages and punitive damages in an amount to be proven at trial. Plaintiff seeks  
 24 punitive damages against all defendants except the City of Seattle.
- 25           2. Costs and reasonable legal fees; and
- 26           3. For such other relief as the court may deem just, equitable, or otherwise  
 appropriate.

1 DATED this 6 day of January 2022:

2   
3 Vicki Chang, Plaintiff, pro se

4 Address: 4216 37<sup>th</sup> Ave S, Seattle WA 98118  
5 Telephone: (347)387-5677  
6 Email: m210\_vicki@yahoo.com

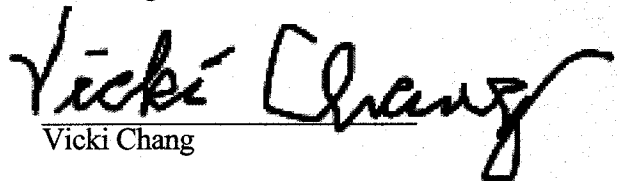
7 Certification

8 The undersigned Vicki Chang, being of legal age, states as follows:

9 I am the plaintiff in this action. I have read the foregoing Complaint and the factual  
10 allegations in it are true and correct.

11 I certify under penalty of perjury under the laws of the State of Washington that the  
12 foregoing is true and correct.

13 Dated this 6 day of January, 2022 at Seattle, Washington:

14   
15 Vicki Chang